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FROM**WARD & OLIVO**

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Name of Sender David M. Hill
Date Jun 17, 2004 Pages (including this page) Three (3)
Client Rev 98-5 (222-004) File # _____

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COMMENTS

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June 17, 2004

Via Facsimile (703) 872-9306

United States Patent & Trademark Office
Technology Center 1600
P.O. Box 1450
Alexandria, Virginia 22313-1450


Re: United States Patent Application Serial No. 09/037,128

To whom it may concern:

On April 30, 2004, a Request for Continued Examination (RCE) and a Preliminary Amendment were timely filed in the above-referenced matter. It has come to our attention that the RCE was separated from the Preliminary Amendment and thus the RCE was not properly entered regarding this case. Pursuant to a telephone conversation with the Examiner in this case, transmitted herewith is another RCE transmittal with the filing date of April 30, 2004 for entry regarding this matter.

Thank you for your attention to this matter. If there are any questions, please do not hesitate to contact me.

Very truly yours,


David M. Hill
Reg. No. 46,170

Attachment

PTO/SB/30 (01-03)

Approved for use through 04/30/2003, OMB 0451-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request For Continued Examination (RCE) Transmittal

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/037,128
Filing Date	March 9, 1998
First Named Inventor	Schoon
Art Unit	1617
Examiner Name	Webman, E.
Attorney Docket Number	Rev 98-5 (222-004)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.118 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed.
The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0420
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0420
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.138 and 1.17)
- iii. ☒ Other Fee Deficiencies _____
- b. ☒ Check in the amount of \$ 595 _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	John F. Ward	Registration No. (Attorney/Agent)	33,610
Signature	<i>John F. Ward</i>	Date	April 30, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	John F. Ward	Date	April 30, 2004
Signature	<i>John F. Ward</i>		

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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.